



openawards

Enquiries and Appeals Policy and Procedures

Version history

| Version | Date | Section(s) | Change(s) made | Location |
|---------|-------|---------------------|--|----------------------|
| 1.0 | 05/21 | All | All content extracted from Enquiries, Complaints and Appeals Policy and Procedures which has now expired. | Open Awards website. |
| | | 7. Policy statement | Grounds for appeal relating to calculated results awarded through the Extraordinary Regulatory Frameworks have been removed as the deadline for appeals against assessment decisions from summer 2020 has expired. | |
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1. Purpose

This document outlines the scope of enquiries and appeals that Open Awards will consider from learner/ apprentices, providers and employers. It details each stage within the process including eligibility criteria.

All Open Awards approved providers must have appropriate appeals and related policies in place that they adhere to at all times.

With the exception of the End-point assessment of apprentices, learner/ apprentice appeals will only be accepted once the learner/ apprentice has fully exhausted their provider’s complaints and appeals processes and remains dissatisfied with the outcome.

The purpose of this document is to:

- Ensure that decisions made by Open Awards are applied fairly, consistently and based on valid judgements.
- Outline which judgements or decisions are in scope for appeal.
- Outline how a learner/ apprentice or provider can appeal against a decision or judgement.
- Identify the potential outcomes of an appeal.
- Satisfy regulatory conditions.

This document replaces all previous enquiries, complaints and appeals policies and procedures as from the operative date.

This document includes references to the scope of appeals against Teacher Assessed Grades (TAGs) for Ofqual-regulated qualifications and units in 2020-21. Statements are clearly identified using the same format as this paragraph. Highlighted statements will be removed once appeals can no longer be submitted against TAGs.

2. Scope

This document is applicable for the following Open Awards products:

- | | |
|---|-------------------------------------|
| Ofqual-regulated qualifications and units | <input checked="" type="checkbox"/> |
| Access to HE Diplomas | <input checked="" type="checkbox"/> |
| End-point assessments | <input checked="" type="checkbox"/> |
| Quality Endorsed Courses | <input checked="" type="checkbox"/> |
| Badge of Excellence | <input checked="" type="checkbox"/> |

3. Regulatory Authorities

The relevant regulatory authorities are Ofqual and Quality Assurance Agency for Higher Education (QAA). As an approved End Point Assessment Organisation, Open Awards also commits to meet the requirements of the Institute for Apprenticeships and Technical Education (IfATE) and Education and Skills Funding Agency (ESFA).

Every attempt has been made to ensure that the provisions of this document are consistent with the requirements of the regulatory authorities. Where the requirements of a regulatory authority change, or where inadvertently these procedures conflict with those of the regulatory authority, the latter shall apply. Where the requirements of the regulatory authority are amended and require changes to this document, such changes will be made as soon as practicable. Open Awards will inform providers accordingly.

4. Audience

This document is for use by the following:

- Approved providers delivering Open Awards approved qualifications and units.
- Learners registered on Open Awards qualifications and units at an approved provider.
- Private learner/ apprentices registered on Open Awards qualifications and units.
- Apprentices registered with Open Awards for End-point assessment.
- Employers of apprentices registered with Open Awards for End-point assessment.
- Open Awards staff and Trustees.

5. Definitions

| | |
|----------------------------|---|
| Appeal | The process through which the outcome of a decision may be challenged. |
| Appellant | The learner/ apprentice or provider making an appeal. |
| Enquirer | The person or organisation who sends in the application form for an enquiry. |
| Enquiry | Informal process whereby results can be checked for accuracy. |
| External quality assurance | The process for monitoring assessments marked by providers, or in the case of End-point assessment undertaken directly by Open Awards. |
| Employer appeal | The process whereby, in the case of End-point assessment, an employer considers that their learner/ apprentice has been wrongly refused access to fair assessment. |
| Learner appeal | The process whereby a learner/ apprentice challenges the result of an assessment they have undertaken and seeks to have the result changed or reversed, or in the case of End-point assessment, considers that they have been wrongly refused access to fair assessment. |
| Provider appeal | The process whereby a provider challenges a decision made by Open Awards on specific grounds outlined in this policy. The appeal process is distinct from a complaint. In the case of End-point assessment decisions, the appeal must originate from the learner/ apprentice. |

6. Responsibility of Providers

- Providers must have internal enquiries and appeals arrangements which learner/ apprentices can access if they wish to appeal against a decision taken by the provider.
- All providers must have an appeals policy and procedures in place that aligns with the requirements of the Open Awards Provider Agreement. All learner/ apprentices must be informed of these arrangements as part of their induction and relevant documents available to all learner/ apprentices throughout their course.
- All provider staff involved in the management, assessment and quality assurance of Open Awards qualifications must familiarise themselves with the provider's enquiries and appeals policy and procedure.
- Learners on Open Awards qualifications and units must be made aware of the contents of the provider's enquiries and appeals policy.
- Providers must ensure appeals are handled consistently and in accordance with this and the provider's own appeals policy.
- All appeals in relation to decisions taken by the provider must go through the providers appeals process before the matter can be referred to the Open Awards appeals process.
- Providers should ensure that staff and learner/ apprentices are made aware of the Open Awards policy and procedures, particularly the need to go through the provider appeals process before referring the matter to Open Awards with the exception of End-point assessment. Enquiries and appeals about the End-point assessment services provided by Open Awards must be made directly to Open Awards.
- Providers should ensure that all concerned are aware of the time limits for submitting an appeal and of the need to retain assessment evidence where necessary.
- Open Awards reserves the right to require an approved provider to amend its procedures so as to be consistent with the guidance in this document.

7. Policy statement

Open Awards strives to ensure that all decisions made by its staff and representatives are fair, consistent, based on valid judgements that are in line with Open Awards policies and procedures. The purpose of an appeal is to establish whether the correct processes, procedures and policies have been applied in a fair and consistent way.

The provider must release records relating to the appeal in line with the requirements of the provider agreement. Appeals from learner/ apprentices will only be considered where the provider's complaints and appeals procedures have been fully completed prior to submitting an appeal to Open Awards. Please note, this does not apply to the End-point assessment of apprentices. Enquiries and appeals about the End-point assessment services provided by Open Awards must be made directly to Open Awards.

There are three stages of appeal depending on the nature of the decision at each stage:

- [Enquiry \(Stage 1\)](#).
- [Appeal \(Stage 2\)](#).
- [Independent Appeals Review \(Stage 3\)](#).

Each stage must be completed before progressing to the next stage.

In relation to the End-point assessment of apprentices, Open Awards will not process completion certificate claims until the initial timescale for a Stage 1 enquiry has expired or until any enquiry and/ or subsequent appeal has been concluded.

7.1 Stage 1 - Enquiry

The enquiry stage allows providers (and in some cases, learner/ apprentices) to question decisions made by Open Awards in the following areas:

| Type of enquiry | | Form | Provider ¹ | Learner |
|-----------------|---|------|-----------------------|---------|
| A | Enquiries about results for an external assessment (including End-point assessment). | EA1 | ✓ | ✓ |
| B | Outcome of external quality assurance decisions of internally marked assessments (not applicable for End-point assessment). | EA1 | ✓ | ✓ |
| C | Enquiry into the provider's risk rating or withdrawal of approval for qualification(s)/ all provision. | EA2 | ✓ | x |

For all other areas of inquiry, the process starts at [Stage 2](#).

Enquiries must be received by email to quality@openawards.org.uk or by writing to Quality, Open Awards, 17 De Havilland Drive, Estuary Commerce Park, Speke, Liverpool, L24 8RN *within 10 working days* from the date they were notified of the matter against which they are requesting an enquiry.

Open Awards will acknowledge receipt of an enquiry *within 5 working days*.

An appropriate member of staff will respond to the enquiry and will normally respond *within 10 working days* (complex enquiries may take a little longer).

Should the enquiry fall outside the scope of Open Awards, enquirers will be advised of this in writing *within 5 working days* of receipt.

¹ In the case of End-point assessments, employers may also submit a type A category enquiry on behalf of a learner/ apprentice or group of learner/ apprentices.

A – Enquiries about results for an external assessment

An enquiry about a controlled assessment result gives the opportunity for a learner/ apprentice/ apprentice or provider to question the result of an assessment marked by Open Awards if they believe the marking was inaccurate.

A provider (or employer in the case of End-point assessment) can submit an enquiry on behalf of a learner/ apprentice/ apprentice or a group of learner/ apprentices, with the explicit written permission of that learner/ apprentice/apprentice or group of learner/ apprentices/apprentices. For each enquiry, written permission should be obtained. Learners and/ or their parents or legal guardians are not permitted to submit an enquiry directly to Open Awards.

There are two options available for enquiring about results.

Option 1 – Administration Check

Enquiries must be submitted *within 10 working days* of the result being released by Open Awards.

- Includes a full check of all administrative procedures to ensure that marks awarded to the learner/ apprentice/ apprentice or assessment decisions have been correctly recorded and processed.
- Ensures all parts of the assessment have been assessed/ marked, all marks have been recorded and added up correctly, the result accurately determined (and where appropriate, grade boundaries have been applied accurately).

Enquiries must be submitted on an EA1: Application for an Enquiry about Results form *within 10 working days* of receiving the initial result. Learners may send applications to quality@openawards.org.uk. Providers must upload completed forms to the Portal.

Option 2 – Review of Marking

Enquiries must be submitted on an EA1: Application for an Enquiry about Results form *within 10 working days* of receiving the initial result or, if an administration check has been previously requested, *within 5 working days* of receiving the result of that administration check. Learners may send applications to quality@openawards.org.uk. Providers must upload completed forms to the Portal.

- This service ensures that the agreed mark scheme has been applied correctly.
- If errors are identified in the application of the mark scheme, the learner/ apprentice/ apprentice's assessment will be remarked/ reassessed.
- Includes an administration check.
- Carried out by a Lead Marker/ Independent End-point Assessor who did not originally mark that learner/ apprentice/ apprentice's paper/ undertake the assessment.

Open Awards will inform the provider's main contact by email of the outcome of an enquiry *within 5 working days* of the decision being made. There are three possible

outcomes to the appeal regarding an external assessment result:

- The result is confirmed.
- The result is upgraded, for example, from a fail to pass. Open Awards will amend its records and, where applicable, will issue certificates.
- The result is downgraded. Certificates may need to be revoked.

A fee to cover the administrative costs of an enquiry will be charged in line with our fees and charges. The fee will be waived if the overall external assessment result changes.

If the original result is downgraded or confirmed, the appellant may wish to progress their appeal to Stage 2. Correspondence from the outcome of Stage 1 will provide the enquirer with instructions regarding Stage 2 appeals.

B – Outcome of EQA of internally marked assessments

For certain qualifications, providers can request a review of the outcomes of external quality assurance of their internally marked assignments, if they do not consider the process to have been undertaken accurately. Open Awards will provide additional information to support the decision but if a provider remains dissatisfied with this explanation, it can request a review of EQA decisions by submitting an EA1: Application for an Enquiry about Results form *within 10 working days* of receiving the EQA decision.

Open Awards will review any adjustments applied to the provider's marking through EQA. This will be undertaken by a different individual with no interest in the outcome of assessment decisions for that learner/ apprentice/ apprentice or provider.

A provider cannot request an enquiry if the original marks have been accepted by Open Awards with no changes being made.

The original sample is remarked by a different EQA. If Open Awards still holds the original learner/ apprentice/ apprentice work, the provider will not need to resubmit it. If not, instructions will be provided on how to submit it. The work should not be submitted with the application.

There are three possible outcomes of the enquiry:

- The provider's original results are reinstated.
- The results from the original EQA process are upheld.
- New results are recommended by the revised EQA.

A fee to cover the administrative costs of an enquiry will be charged in line with our fees and charges. The fee will be waived if the provider's original results are reinstated as the result of an enquiry.

C – Enquiry against the provider’s risk rating or withdrawal of approval for qualification(s)/ all provision

A provider can request an enquiry into the provider’s overall risk rating or the risk rating applied to a qualification by Open Awards following EQA activities where the provider believes that the status has been applied incorrectly. The provider can also request an inquiry into withdrawal of approval for one or more qualifications or all provision, where the provider does not believe that the Open Awards process has been followed appropriately.

A provider cannot request an enquiry for the outcome of an application for provider or qualification approval, or the withdrawal or suspension of provider or qualification approval due to financial or legal reasons.

The provider must contact their Quality and Standards Advisor (QASA) in the first instance to query the risk or approval status. Open Awards will provide additional information to support the decision.

If a provider remains dissatisfied with this explanation, it can request an enquiry into the status applied by uploading an EA2: Enquiries form - Risk ratings Form to the secure portal within *10 working days* of receiving such additional supporting information.

Requests for an enquiry must include the reasons the provider disagrees with the decision. Additional supporting documents can be included with the application. The information in the application will be checked against the records held by Open Awards. More information may be requested where necessary.

Open Awards will review the decision and, where there is a clear error, the enquiry will stop at that point and the decision will be changed.

In all other cases, Open Awards will appoint a different individual to repeat the original quality assurance monitoring activity on a date to be agreed with the provider. This individual will be suitably competent to make a recommendation to Open Awards based on their findings.

There are three possible outcomes of the enquiry:

- The risk rating/ approval status is confirmed.
- The risk rating/ approval status is lowered.
- The risk rating/ approval status is raised.

Where the original risk rating/ approval is changed as the result of an enquiry, the provider will not be charged. Where the original risk rating/ approval is upheld, the provider will be charged. Full details of the fees can be found in the Open Awards charges document.

Outcomes of Enquiries

Open Awards will notify the provider *within 10 working days* of the enquiry being received. The notification will include the outcome of the enquiry and information on how to appeal (Stage 2) (where this is relevant).

7.2 Stage 2 – Appeal

The purpose of an appeal is to identify if Open Awards followed the correct processes, procedures and policies for the activities listed below. The appeal is usually a desk-based process and completed by people who were not involved in the original decision, and not any person who has a personal interest in the outcome of the appeal. The same process is followed for every type of appeal.

The appellant should submit reasons for the appeal and details of specific instances where the appellant believes that Open Awards did not follow the correct procedures in reaching the original decision. Additional supporting documents can be included with the application and must be clearly referenced.

For appeals following a Stage 1 Enquiry, the application form must include details of how the appellant believes that Open Awards did not follow the correct processes, procedures and policy documents during the enquiry stage.

If the application does not include the required information it will be returned to the appellant, with details of what information is missing. A deadline will be given for this information to be included. The appellant must respond fully within this deadline or the appeal will not be heard.

Appeal applications must be submitted in writing *within 10 working days* of receiving the original decision or the outcome of an enquiry.

Open Awards will accept appeals on the following grounds:

| Type of appeal | | Form | Provider ² | Learner Appeal |
|----------------|---|------|-----------------------|----------------|
| A | Outcome of an enquiry about results for an external assessment (including End-point assessment). | EA3 | ✓ | ✓ |
| B | Outcome of an enquiry into the external quality assurance decisions of internally marked assessments | EA4 | ✓ | ✗ |
| C | Outcome of an enquiry into the provider's risk rating or withdrawal of approval for qualification(s)/ all provision | EA4 | ✓ | ✗ |
| D | Appeal against the outcome of an application for reasonable adjustments or special | EA4 | ✓ | ✗ |

² In the case of End point assessments, employers may also submit a type A category appeal on behalf of a learner/ apprentice or group of learner/ apprentices

| | | | | |
|---|---|-----|---|---|
| | consideration. | | | |
| E | Malpractice – decision, penalty or sanction resulting from an investigation. | EA4 | ✓ | ✗ |
| F | Teacher Assessed Grades – Appeals against a provider’s TAG eligibility judgements. | EA5 | ✗ | ✓ |
| G | Teacher Assessed Grades - Procedural or administrative errors adversely affecting learner/ apprentice results and assessment decisions. | EA4 | ✓ | ✗ |
| H | Appeals against Access to HE Diploma results in 2020-21. | EA4 | ✓ | ✗ |

Open Awards **will not** accept:

- Learner appeals where the learner/ apprentice has not fully exhausted the provider’s complaints and appeals processes before submitting an appeal to Open Awards (with the exception of appeals relating to End-point assessment and appeal types G and H).
- Appeals submitted on behalf of a learner/ apprentice or group of learner/ apprentices without the explicit written permission of that learner/ apprentice or group of learner/ apprentices.
- Appeals submitted without sufficient detail on which to base an investigation (the appellant will be given further opportunity to provide supporting evidence).
- Appeals against the professional judgements of course tutors at approved providers, nor the efficacy of evidence used to make such judgements.
- Appeals where Open Awards is being asked to arbitrate in cases of dispute between learner/ apprentices, employers and/ or providers.

An Open Awards representative not involved in the original decision will review the appeal submission, supporting documents and records relating to the original decision made by Open Awards. All the information (including that provided by the appellant and records kept by Open Awards) will be checked against the relevant procedures and policy documents to confirm whether the correct procedures have been followed.

Type A, B and C appeals will only be considered if and when the enquiries stage has been fully completed and an appeal has been submitted.

Type D appeals against the outcome of an application for reasonable adjustments or special consideration can only be submitted by a provider and/or (in the case of End-point assessment) employers. Providers may only submit appeals with the explicit written consent of the learner/ apprentice(s).

For **Type E appeals** (malpractice), it is not possible to appeal the findings of a malpractice investigation, although an appeal can be made against the decision taken as a result of the investigation.

Type F appeals (Teacher Assessed Grades - TAGs) apply for learner/ apprentices whose provider has deemed them to be ineligible for TAGs under Ofqual’s Vocational and Technical Qualifications Contingency Regulatory Framework for 2020-21.

Type G appeals (Teacher Assessed Grades - TAGs) apply for learner/ apprentices whose results have been subject to TAGs for any component of the qualification under Ofqual's Vocational and Technical Qualifications Contingency Regulatory Framework for 2020-21.

Where an appellant considers that a learner/ apprentice's result should be changed following a review, the provider must submit its proposed revised result to Open Awards together with its reasons for the change, including evidence that the provider's review concluded that:

- the provider did not follow its own procedure properly and consistently in arriving at that result (including any failure of quality assurance) or in conducting its review, and or/;
- the result reflects an unreasonable exercise of academic judgement on the part of the provider, and/or;
- the provider made an administrative error in relation to the result.

Type H appeals relating to the Access to HE Diploma in 2020-21 will be managed in line with the [Extraordinary Regulatory Framework](#) (ERF), and the procedures for student appeals as detailed in [Grading Scheme Handbook Section C: Using the Grade Descriptors in Assessment](#) apply.

Appeals relating to Access to HE Diploma in 2020-21 are restricted to:

- evidence of administrative error (for example, incorrect recording of grades submitted to the AVA by tutor, not all available evidence used to make judgement, unit midpoint grade not calculated correctly), or
- evidence of procedural error (i.e. the correct application of the ERF protocols).

Open Awards will not accept appeals against:

- Professional judgements of course tutors.
- The efficacy of the evidence presented to support such professional judgements.

Provider representatives may appeal on behalf of students or in their own right. The grounds for appeals from Access to HE providers are restricted to:

- Evidence of administrative error by Open Awards (for example, not all available evidence was reviewed to support the award of units through extenuation).
- Evidence of procedural error by Open Awards (for example, incorrect processing of grades, adjustment of grades).
- Sanctions applied as a result of maladministration or malpractice allegations.

If the appellant believes the appeals process has not been followed by Open Awards, they should make a written complaint to QAA *within 15 working days* of receipt of the outcome of their appeal from Open Awards.

Outcomes of Stage 2 Appeal

There are two possible outcomes of a Stage 2 appeal:

- If the review finds that appropriate processes, procedures and policy documents have been followed in a fair and consistent way, the appeal will be rejected and Open Awards will notify the appellant. The outcome notification will include information on how to submit an appeal to the Independent Appeals Reviewer, where appropriate.
- If the review finds that any of the appropriate processes, procedures or policy documents have not been followed, the appeal will be upheld. Open Awards will notify the appellant of the outcome including remedial actions to be completed, will appropriate timescales.

Where the outcome of an appeal brings into question the accuracy of other results, Open Awards will take steps to protect the interests of all learner/ apprentices and will cooperate with any follow-up investigations required by the regulatory authorities and, if necessary, agree appropriate remedial action with them. This may involve a further review of the work of learner/ apprentices at the provider.

Appellants must be mindful that the outcome of Open Awards' investigations may affect learner/ apprentice results. Final achievements could be delayed and either increased or decreased as a result of investigations into the appeal.

7.3 Stage 3 – Independent Appeals Review

An Independent Appeals Review exists to ensure that there is an independent avenue of appeal for when the appellant is not satisfied with the outcome following the Stage 2 Appeal. Its purpose is to identify whether Open Awards has followed the correct processes, procedures and policies for any of the activities against which an appeal has been lodged and investigated.

Stage 3 appeals must be received *within 10 working days* of the outcome of the Stage 2 appeal. Open Awards will acknowledge receipt of the appeal *within 5 working days*.

The appellant must clearly state the reasons they consider that Open Awards did not follow the required procedures and their rationale for escalating to this appeal stage.

If the application form does not include the required information it will be returned to the appellant, with details of what information is missing. A deadline will be given for this information to be included. The appellant must respond fully within this deadline or the appeal will not be heard.

The appeal will be heard *within 20 working days* of receipt of a fully completed

application (supported by all appropriate evidence).

The Independent Appeals Review will be undertaken by an individual with appropriate competence and no personal interest in the decision(s) being appealed. The reviewer will be an independent party not employed by Open Awards, an assessor working for it, or otherwise connected to Open Awards.

The reviewer will ensure that Open Awards fully meet the regulatory requirements, and to confirm the validity of the previous investigation(s). Open Awards will be responsible for ensuring that records of such reviews are kept.

Outcomes of Stage 3 Appeals

The reviewer will produce a report and recommendations. Reports will usually be completed *within 30 working days*.

There are two possible outcomes of the hearing:

- If the Independent Appeals Review finds that appropriate processes, procedures and policy documents have been followed in a fair and consistent way, the Stage 3 appeal will be rejected and Open Awards will notify the appellant.
- If the review finds that any of the appropriate processes, procedures or policy documents has not been followed, the appeal will be upheld. Open Awards will notify the appellant of the outcome including remedial actions to be completed, will appropriate timescales.

The decision of the Independent Appeals Review is the final stage of the appeals process. If the appellant is not satisfied with the outcome of the appeal, they may contact the relevant regulator. Information on how to do this will be included in the outcome notification letter.

8. Internal reviews following an enquiry or appeal being fully or partly upheld

Should any part of an enquiry or appeal lead Open Awards to discover a failure in its processes, all reasonable steps will be taken to:

- Identify other learner/ apprentices or apprentices who have been affected by the failure.
- Correct or where it cannot be corrected, mitigate as far as possible the effect of the failure.
- Ensure that the failure does not recur in the future.

Where the outcome of an appeal raises concerns over the validity of other results at a provider, Open Awards will take action to protect the interests of other learner/ apprentices and the integrity of the award of qualifications and/or units. This may include, for example:

- Further review of learner/ apprentices' work by Open Awards. Up to 100% sample may be requested for verification purposes.
- Review of the unit(s) of assessment through its unit review process.
- Review of the rules of combination for a qualification (if appropriate).

The Head of Quality and Standards will take responsibility for initiating the most appropriate course of action, and this decision will be taken in conjunction with the Chief Executive Officer.

Open Awards will inform the relevant regulator immediately of any adverse effects and other instances where such action is required.

9. Charges

A fee to cover administration costs will be charged at each stage of the enquiries and appeals process as outlined below.

For enquiries and appeals made by a learner/ apprentice, the learner/ apprentice must pay the correct fee with their application. Where the outcome of the enquiry or appeal is in favour of the learner/ apprentice, Open Awards will refund the learner/ apprentice.

For enquiries and appeals made by a provider or employer, Open Awards will invoice the provider for the correct fee. Where the outcome of the enquiry or appeal is in favour of the provider or employer, Open Awards will refund the fee or issue a credit note to the provider.

The full range of fees for enquiries and appeals can be found in the Open Awards charges document.

10. Exclusions from this policy

10.1 Vexatious Correspondence or Behaviour

Open Awards staff will not engage with persistent/ repeated contact from enquirers/ appellants or abusive enquirers/ appellants. Where an enquirer/ appellant corresponds with Open Awards in an abusive manner or repeatedly and persistently contacts Open Awards with no new information or meaningful evidence to bring to ongoing investigations, Open Awards will treat such behaviour/ correspondence as **vexatious**.

The following forms of behaviour or correspondence are considered vexatious:

- An enquirer/ appellant being abusive or threatening, either during a telephone conversation, video conferencing, face-to-face meeting or in written correspondence.
- An enquirer/ appellant repeatedly contacting Open Awards via telephone or email in a given working day without offering new evidence or information.
- Making unreasonable demands on Open Awards outside of the agreed remit of the investigation.
- Making accusatory remarks about Open Awards or the Open Awards' representative managing the case.

In such circumstances, the enquirer/ appellant will be referred to the Open Awards' Chief Executive Officer.

10.2 Zero Tolerance

Open Awards endeavours to provide a service which is prompt, courteous, clear and responsive to customer needs. In order provide the best service, Open Awards is committed to the well-being of its staff and customers.

We expect those using our services and premises to treat other customers and our staff with the courtesy they expect to receive themselves.

Verbal abuse, harassment, disruptive behaviour and violence are unacceptable. In the event of any of these occurring, Open Awards will not hesitate to take action which could lead to the withholding of services, or prosecution.

11. Monitoring and Review

An annual report on all cases of appeal, including those not upheld, will be made available to the Open Awards' Board of Trustees.

Open Awards will review the policy biennially as part of its self-evaluation arrangements and revise it as and when necessary in response to customer and learner/ apprentice feedback, changes in its practices, advice from the regulatory authorities or external agencies, changes in legislation, or trends identified from previous instances of malpractice or maladministration.

In addition, this policy may be updated in light of operational feedback to ensure our arrangements for dealing with appeals remain effective.

12. Related documents

This policy should also be read in conjunction with the following Open Awards documents (as appropriate):

- Provider Agreement
- Provider Handbook
- Standard specific EPA Handbook
- Access to HE Provider Handbook
- Maladministration and Malpractice Policy and Procedures
- Plagiarism Policy
- Reasonable Adjustments and Special Considerations Policy and Procedures
- Recognition of Prior Learning Policy and Procedures
- Sanctions Policy and Procedures

13. Regulatory Requirements

The Enquiries and Appeals Policy is designed to fulfil the requirements of our regulators. In particular:

Ofqual General Conditions of Recognition

- A4 Conflicts of interest
- A6 Identification and management of risks
- A7 Management of incidents
- A8 Malpractice and maladministration
- B3 Notification to Ofqual of certain events
- C1 Arrangements with third parties
- C2 Arrangements with Providers
- G4 Maintaining confidentiality of assessment materials
- H2 Moderation where an assessment is marked by a Provider
- I1 Appeals process
- I2 Compliance with Ofqual's appeals and complaints process

QAA AVA Licensing Criteria

Complaints and appeals

30, 31

Certification

47, 48

Provider approval and withdrawal of approval

50n, 54e

Institute of Apprenticeships and Technical Education

End-point Assessment Reasonable Adjustments Guidance

Education and Skills Funding Agency

Conditions for being on the register of End-point assessment organisations.

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| <i>Originator:</i> | <i>Head of Quality and Standards</i> |
| <i>Date of latest review:</i> | <i>May 2021</i> |
| <i>Date of last approval:</i> | <i>May 2021</i> |
| <i>Approved by:</i> | <i>Open Awards Management Team</i> |
| <i>Review interval:</i> | <i>Biennial</i> |
| <i>Next review due by:</i> | <i>May 2023</i> |