

# Apprenticeship End Point Assessment Appeals and Complaints Policy

<b>Summary</b>	This Policy details the Institute of Conservation’s (Icon) processes in place to manage appeals and complaints in relation to the delivery of Apprenticeship End Point Assessments.
<b>Who this policy applies to</b>	The Policy applies to Assessors and Icon Staff involved in the delivery of Apprenticeship End Point Assessments.
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<b>Date effective:</b>	8 <sup>th</sup> October 2020
<b>Last reviewed or updated:</b>	1 <sup>st</sup> December 2022
<b>Frequency of review:</b>	Annually

<b>1.</b>	<b>Introduction</b>
	<p>The Institute of Conservation (Icon) recognises the vital importance of ensuring that all assessments it undertakes in its capacity as an Apprenticeship End Point Assessment Organisation (EPAO) are valid, fair and objective.</p> <p>This policy details Icon’s approach towards dealing with complaints and managing the appeals process to ensure that Apprentices receive a fair and objective assessment. This policy relates appeals and complaints with respect of:</p> <ul style="list-style-type: none"> <li>• the results of assessments,</li> <li>• decisions regarding Reasonable Adjustments and Special Consideration, and</li> <li>• decisions relating to any action to be taken against an Apprentice or centre following an investigation into malpractice or maladministration.</li> </ul> <p>An overview of the appeals and complaints Process is detailed in Appendix A.</p> <p>This Policy relates to:</p> <ul style="list-style-type: none"> <li>• Icon Fair Access Policy</li> <li>• Icon Malpractice &amp; Maladministration Policy</li> </ul>
<b>2.</b>	<b>Definitions</b>
	<p><b>Appeal:</b> a request by an Apprentice, employer or training provider for a review of a failed outcome from their End Point Assessment.</p> <p><b>Complaint:</b> an expression of dissatisfaction relating to Icon’s actions, products of services and the application of Icon’s policies or the outcome of an assessment decision which it has made.</p>

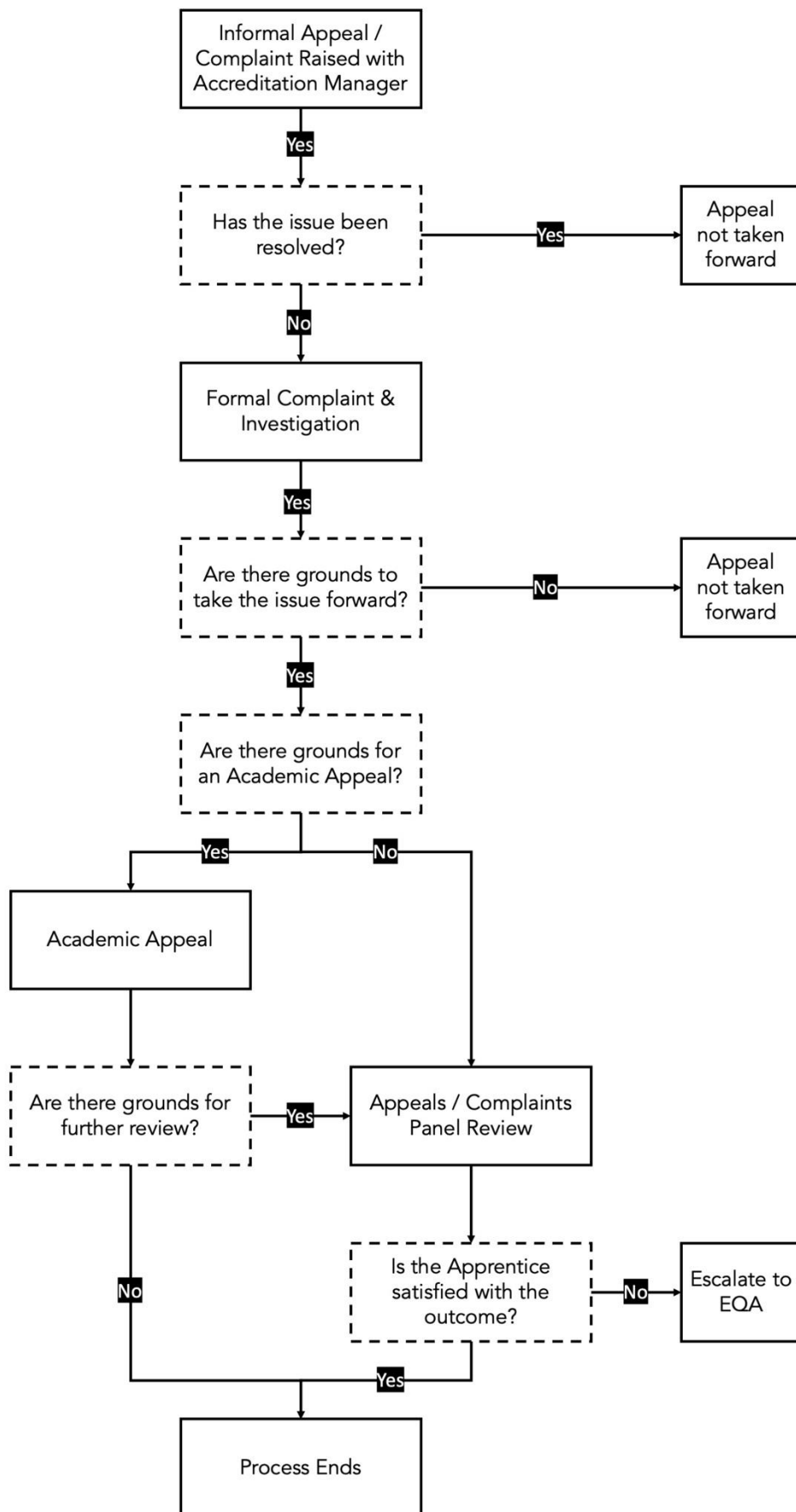
<b>3.</b>	<b>Responsibilities</b>
	<p>The management of the appeals and complaints policy rests with Accreditation Manager who will oversee and manage the appeals and complaints process. If the complaint relates to Icon’s Accreditation Manager, Icon’s Head of Skills will manage the complaints process.</p> <p>All staff involved in the delivery of EPAs has a responsibility to understand the policy and ensure that it is implemented.</p>
<b>4.</b>	<b>Grounds for appeals and complaints</b>
	<p>An Academic Appeal will normally only be considered if it meets one of the following criteria:</p> <ul style="list-style-type: none"> <li>• Extenuating circumstances which the Assessors were unaware of, and the Apprentice can demonstrate that there was good reason for them not having highlighted the issue.</li> <li>• That an assessment decision was not made in accordance with the criteria outlined in the relevant Apprenticeship standard.</li> <li>• That the internal quality assurer was presented with incorrect or inaccurate assessment information.</li> <li>• That a decision made by Icon staff, including those relating to a Fair Access or Special Considerations Request, or the outcome of a malpractice / maladministration investigation, is inappropriate (following assessment).</li> <li>• Subsequent to assessment having been completed; that an individual is dissatisfied with the outcome of an investigation under the ‘Malpractice &amp; Maladministration Policy’ or the outcome of a Fair Access or Special Considerations request under the ‘Fair Access Policy’.</li> </ul> <p>A complaint will normally be considered if it meets one of the following criteria:</p> <ul style="list-style-type: none"> <li>• A procedural or other irregularity such as the dates of assessment changing without sufficient notice.</li> <li>• That there was unfairness or impropriety on the part of the one or more of the Assessors or EPAO staff.</li> <li>• Prior to assessment having been completed; that an individual is dissatisfied with the outcome of an investigation under the ‘Malpractice &amp; Maladministration Policy’ or the outcome of a Fair Access or Special Considerations request under the ‘Fair Access Policy’.</li> </ul>
<b>5.</b>	<b>Raising an appeal or complaint</b>
	<p>An appeal or complaint can only be raised by an Apprentice, training provider or an employer. If an appeal or complaint relates to an individual Apprentice and the issue has been raised by the training provider or the employer, the permission of the Apprentice is required. All subsequent communication will be directly with the Apprentice concerned.</p> <p>We recognise that in many cases concerns can be dealt with informally. As such the party raising the appeal or complaint is to be encouraged to first discuss their concern with the</p>

	<p>Accreditation Manager to understand whether an appeal or complaint can be made through this policy.</p> <p>If after discussing their concerns with the Accreditation Manager, the party raising the appeal or complaint wishes to escalate the appeal or complaint they should follow the formal process outlined in section 6.</p>
<b>6.</b>	<b>Formal submission and initial investigation</b>
	<p>Appeals or Complaints should first be raised to the Accreditation Manager within 20 working days of the announcement of results / assessment decisions, the outcome of a fair access request or malpractice / maladministration investigation.</p> <p>The individual should submit their appeal or complaint in writing including documentary evidence providing grounds to support the academic appeal or complaint. Appeals or complaints received after this time will only be considered at the discretion of the Accreditation Manager. Appeals or Complaints for which full documentary evidence is not included will be rejected.</p> <p>The Accreditation Manager will make contact (in person, by phone or email) with the Apprentice within 10 days of receiving the complaint to arrange a formal meeting with the Apprentice (in person or virtually). The Apprentice may bring someone with them, but there is no right to legal representation.</p> <p>As a result of this meeting one of three outcomes will be agreed:</p> <ol style="list-style-type: none"> <li>1. That the Apprentice is content not to proceed with the appeal or complaint.</li> <li>2. That the Apprentice should proceed to the Academic Appeal (section 7). This will typically be appropriate if the issue relates to the grounds for appeal (see list of criteria in section 4)</li> <li>3. That the Apprentice should proceed to the Academic &amp; Complaints Panel Review (section 8). This will typically be appropriate if the issue relates to the grounds for a complaint (see list of criteria in section 4).</li> </ol>
<b>7.</b>	<b>Academic Appeal</b>
	<p>The Accreditation Manager will appoint an Independent End Point Assessor not involved in the formal assessment process to undertake a review of the assessment decisions. In doing so, the review will consider:</p> <ul style="list-style-type: none"> <li>• Formal grounds of the appeal and supporting evidence</li> <li>• Assessment report</li> <li>• Supporting information relating to the assessment method(s) being considered. This may include an Apprentice’s Project or Portfolio of evidence which supported a Professional Discussion.</li> </ul> <p><b>Outcomes</b></p> <p>There are three possible outcomes of this stage:</p> <ol style="list-style-type: none"> <li>1. The result is upgraded (e.g. changed from ‘fail’ to ‘pass’.)</li> </ol>

	<p>2. The result is confirmed 3. The result is downgraded (e.g. changed from 'pass' to 'fail')</p> <p>If after Academic Appeal the Apprentice is dissatisfied with the outcome they may proceed to the Appeals &amp; Complaint Panel Review (section 8).</p>
<b>8.</b>	<b>Appeals &amp; Complaints Panel Review</b>
	<p>The Appeals and Complaints Panel will be convened if appeal or complaint does not relate to an Academic Appeal, or in the instance that an individual is dissatisfied with the outcome of the Academic Appeal process.</p> <p>The Appeals and Complaints Panel will be convened within one month. The panel will include:</p> <ul style="list-style-type: none"> <li>• Icon's Head of Skills</li> <li>• Icon's Accreditation Manager</li> <li>• Icon's Internal Quality Assurer</li> <li>• Independent End Point Assessor not involved in the assessment itself.</li> <li>• The Apprentice</li> <li>• External Representative from the Chartered Institute for Archaeologists</li> <li>• The Apprentice may bring someone with them; however, they will only participate at the behest of the Apprentice. There is no right to legal representation at this stage.</li> </ul> <p>If the Apprentice does not attend the appeals meeting, the meeting will still proceed.</p> <p>The panel's decision will be made solely on the basis of the evidence provided by the Apprentice. The panel will review the evidence following the meeting and notify the Apprentice of the assessment decision within 5 working days of the meeting.</p> <p><b>Outcome</b></p> <p>There are two possible outcomes from the Appeals &amp; Complaint Panel Review:</p> <ul style="list-style-type: none"> <li>• Appeal / Complaint is accepted. The panel agrees that clear grounds for the complaint or dissatisfaction with the appeal / complaint.</li> </ul> <p>If this relates to an assessment that has already taken place, the Apprentice will be offered a re-assessment of the relevant assessment method(s) with an End Point Assessor not involved in the original assessment or appeals process.</p> <p>If this relates to an assessment yet to take place, the adjustments agreed by the Panel will be implemented.</p> <p>If the Panel has highlighted any failure on behalf Icon, steps will be taken immediately to identify any other Apprentice who has been affected by the failure, rectify and mitigate as far as possible the effects of the failure, and ensure that failure does not reoccur in the future. Icon will inform the inform the EQA if required.</p>

	<ul style="list-style-type: none"> <li>• Appeal / Complaint is rejected. The panel confirm that all appropriate procedures and policies have been followed fairly and accurately during the conduct of the assessment.</li> </ul> <p>In line with the End Point Assessment plans, Icon will be using the Ofqual as the EQA for the EPAs it is delivering. If the appeal or complaint cannot be resolved through Icon’s own Policy, it will be escalated to the EQA.</p>
9.	<b>Managing implementation and review.</b>
	<p>This Policy will be reviewed annually to ensure that it is reflective of current regulations and guidance and is responsive to local, national and international events.</p>

## Appendix A – Overview of Appeals and Complaints Process



### **Example – Apprentice dissatisfied with outcome of Fair Access Request (Prior to assessment)**

- An Apprentice has raised grounds for a Fair Access request, but is dissatisfied that the proposed variations to the assessment and believes they are not sufficient / appropriate to deal with their individual concerns.
- Following initial conversation with Accreditation Manager Apprentice wishes to continue with the Appeal.
- Request proceeds to 'Formal submission and initial investigation'. Accreditation Manager reviews formal submission who deems there are grounds to escalate the Appeal / Complaint further.
- As request is raised prior to assessment, the appeal proceeds to the 'Appeals / Complaints Panel Review' process.
- The Panel meet to consider the request. The request is rejected on the basis that the original adjustments were deemed appropriate and the Apprentice is informed.
- The Apprentice is satisfied with the outcome of the review
- Process Ends.

### **Example –Apprentice dissatisfied with assessment decision**

- An Apprentice believes an assessment decision was not undertaken in line with the grading criteria outlined in the End Point Assessment Plan.
- Following initial conversation with Accreditation Manager, the Apprentice wishes to continue with the Appeal.
- Request proceeds to 'Formal submission and initial investigation'. Accreditation Manager reviews formal submission who deems there are grounds to escalate the Appeal / Complaint further.
- As request is raised prior to assessment, the appeal proceeds to the 'Academic Appeals' process.
- The Academic Appeals Panel meet and consider the request. They agree with the Apprentice and the supporting evidence. The assessment decision is moderated and the Apprentice is informed.
- The Apprentice is satisfied with the outcome of the review
- Process Ends.