ACTIVE SUPPORT
INSPIRING LIVES THROUGH EDUCATION

Guide to Learner Enquiry and Appeals Procedure

This document sets out the policy and procedures for receipt and storage of GCSE papers and the procedures that referral agencies and learners can follow to enquire about, or appeal to Active Support against, assessment or other decisions.

1. A learner or referring agency wishing to enquire about an assessment decision affecting the learner's results, or other decisions affecting the referring agency or learner, should make their enquiry to the Head Teacher in writing within four weeks of the date of publication of the result by Active Support. The enquiry will be acknowledged immediately and dealt with appropriately within the procedure for appeal against assessment.

2. A learner or referring agency wishing to appeal against an assessment or other decision must give notice of appeal in writing to the Head Teacher within four weeks of the date of publication of the result by Active Support. The notification of appeal must be supported with evidence and comment.

3. Active Support will send to the learner or referring agency an appeal forms which will seek the following information:

    3.1 Name
    3.2 Centre
    3.3 Award for which the assessment decision is queried
    3.4 Grounds of appeal (See below)
    3.5 Endorsement (or not) of Centre Coordinator

4. This form must be completed and submitted to the Head Teacher within three weeks of the receipt together with a fee of £25 for each appeal (cheques should be made payable to Active Support).

5. On receipt of this form, the Head Teacher will arrange for the records to be checked to ensure that the correct assessment result has been published. If a discrepancy is revealed, a corrected assessment result will be published immediately, with the approval of the Moderator. If the appeal is successful and the result goes up a full refund will be made.

6. If following this clerical check the assessment result is confirmed, the case will be submitted to an appeals panel. This will consist of up to 5 members selected by the Governors and will normally meet in November following the appeal.

7. Nominated members from the Governors should, if possible, serve for two years on the Appeals Panel and this should be organized to provide overlapping membership.

8. The Appeals Panel may consider the following grounds:

8.1 That there exist circumstances affecting the learner's performance of which the moderator had not been aware when the decision was taken.

8.2 That the learners had been insufficiently advised and directed in assessment matters by center-based staff and that the Moderator /coordinator were unaware of assessment circumstances which were likely to disadvantage the learner.

8.3 That there were irregularities in the conduct of the external assessment, or in the process whereby the Moderator reached their decision, of such a nature as to cause reasonable doubt as to whether the Moderator would have reached the same conclusion had they not occurred.

8.4 That the learner had been unfairly treated by Active Support in the conduct of advice given or administrative procedures used.

9. The appeals panel must also consider

9.1 Whether Active Support used procedures which are consistent with the regulatory criteria, if relevant

9.2 Whether Active Support applied the procedures properly and fairly in arriving at judgments.

10. Centre staff and potential appellants should note that –

10.1 Appellants who complain of their treatment, or the provision made by a particular Centre should be advised that they should present that complaint to the center.

10.2 Appellants (and School staff supporting the appellant) should be further advised that a learner's failure to appreciate the rigor of any end-assessment/external assessment does not constitute grounds for appeal on the basis that the learners course work was of a much higher standard.

11. In all cases the Appeals Panel will be given the appellants statement and the moderator's comments in response. Comments from the tutor and Active Support Co-ordinator will also be presented.

12. The Appeals Panel may, at its discretion, invite the appellant to attend a personal hearing, at which the appellant may be accompanied by a friend. If a personal hearing is held, the Moderator and /or tutor concerned will also be invited to present evidence, but will be held separately.

13. Having considered the evidence, the Appeals Panel may –

- Confirm the result published by Active Support
- Ask the Moderator to reconsider the decision, in which case the assessment decision awarded may not be lower than the published assessment decision, but otherwise whatever assessment decision was now given would stand; or

- Itself change the assessment decision and publish it
- If an appeal is supported by the moderator and would facilitate urgently required progression to higher education or employment
- If an appeal is based on confidential information received by the Appeals Panel members relating to a serious health condition of an appellant.
- Where an appeal is unresolved, request that an independent review and re-assessment, with accompanying report, of a learner's coursework and /or external assessment papers is undertaken with the review, re-assessment decisions and recommendations referred to the chair of the Appeals Panel for final consideration and decision.

14. Centres are informed on issues and outcomes arising from the Appeals Panel.

15. Where required there must be at least two independent reviewers appointed who must:

- Have no previous connection with the assessment of the appellant
- Be recognized specialists in the subject area and level concerned
- Have a clear understanding of the assessment criteria and circumstances of assessment of the learner
- Have copies of all the information presented to the Appeals Panel.

16. Where an outcome of the appeal brings into question the accuracy of other results, the Appeals Panel will draw the attention of the relevant committee to the issue. The committee will consider and take appropriate steps to protect the interest of all relevant learners and the integrity of the qualification.

17. Active Support procedures for learners to appeal against grades or assessment decisions by Active Support are informed by the following principles:

17.1 The requirements of "natural justice" (e.g., no-one previously involved in confirming the result should be involved in making a decision; the appellant should have the right to present a case)
17.2 The appeal must be originated by the individual learner or the approved Centre (assessment standards for a whole group must be taken up by the tutor)
17.3 The need for the procedure not to deter genuinely mistreated learners from coming forward with an appeal; but
17.4 The need to discourage frivolous or vexatious appeals
17.5 The need to keep the system simple, to operate on the basis of clear information, and to have time limits.

18. **GCSE Exams Papers**

18.1 All GCSE exam papers are to be delivered directly to Active Support Education, Unit 1, Leagrave Road, Luton, LU3 1RJ and not to the central postal office at Chamberlain House.

18.2 The receptionist will sign for the papers and ensure that these papers are then delivered to the exams officer, these papers must not be given to any other member of staff. The papers must stay in the receptionist's possession at all times.

18.3 All exam papers received must be recorded in the Exams Receipt Book (upon receipt), this is kept in reception and then recorded as signed over to the Exams Officer or in their absence the Headteacher.

18.4 The Exams officer or Deputy will ensure that these papers are stored in the appropriate place as set out by JCQ guidelines.

19. Exam Entries

19.1 Entries for the Functional Skills Stepping Stones (Stand Alone) English and Math's qualifications are decided on a half termly basis. Discussions take place between tutors and Exams Officers in regard to which learners are ready to take an assessment. There will be at least 4 weeks teaching and learning in each half term, followed by 2 weeks of assessment. Department meetings for each subject are then held, to decide on entries.

19.2 Entries for full functional skill awards are made on demand, and discussed and agreed at department meetings.

19.3 Successful completion of a level 1 award before the end of January (GCSE entry deadline) will result in a GCSE entry being made for that learner.

20. Monitoring and Evaluation

20.1 The Head Teacher is responsible for making sure that effective monitoring and evaluation takes place.

20.2 This guidance will be reviewed annually by the Governors.