

# Appeals Policy

## Introduction

The appeals policy allows for appeals to take place where learners, instructors, assessors or providers feel that Lantra did not apply procedures consistently or follow procedures properly and fairly. This policy applies to any of Lantra's training or qualifications and covers appeals against:

1. Decisions following the outcome of an enquiry about a result for an assessment
2. Decisions regarding reasonable adjustments and special consideration
3. Decisions relating to any action to be taken against a learner or provider following an investigation into malpractice or maladministration.

All other matters may be addressed through the Lantra's Complaints Procedure, detailed in the Customer service and feedback policy.

Appeals can be made by providers, instructors, assessors or learners, (the appellant).

Where an appeal is made with regards to an internal assessment, the appeal must be made to the provider in the first instance using the provider's internal appeals procedures. Learners should only appeal to Lantra if the provider's internal appeals procedures have been exhausted.

Where an appeal relates to the result of an assessment that is set and marked by Lantra, an appeal can only be made following the submission and outcome of a paid enquiry about the result. The appeal can be made directly to Lantra following receipt of the outcome.

Related policies:

Enquiries about results

Customer service and feedback policy

## Making an appeal

Appeals must be made within **three calendar months** of the date of the event that the appeal relates to, e.g. date of the outcome of the enquiry about a result.

All appeals must be submitted to the Quality and Compliance Manager at Lantra. The appeal must be made on the Lantra Appeal Form.

There are no fees payable for an appeal.

## Investigating an appeal

### Stage 1 – Internal review Collation of information

On receipt of an appeal all available information and supporting documentation will be reviewed by the Quality and Compliance Manager, who will make an impartial decision. Where additional information is required, this will be requested. This may impact upon the time scale for completion of the review and this instance the delay will be communicated to the appellant. Other parties may be contacted for further information where necessary, for example assessors, EQAs or examiners.

Lantra will make every effort to resolve any appeal quickly. Lantra will aim to acknowledge the receipt of an appeal within **five** working days. Where possible Lantra will aim to complete the investigation and report the outcome of Stage 1 within **10** working days of receipt.

If the appellant is unhappy with the outcome of the appeal, either because the appeal is not upheld, or the outcome and remedial actions are unsatisfactory they may progress the appeal to Stage 2. Appellants will be informed in the outcome at Stage 1 of their right to progress the appeal.

### Stage 2 – Referral to Lantra Audit and Quality Committee members

The appeal will be referred to a senior panel. The panel will consist of one member of the Lantra Audit and Quality Committee and a suitably competent independent person to decide the outcome within **10 working days** of receipt of the escalated appeal. Committee members are independent and have no interest in the outcome of the appeal. Committee members have appropriate competence to undertake decisions with regards to appeals. This stage may be conducted via telephone, email or other appropriate form of communication. The appellant may make verbal or written representations to the panel if they wish. Verbal representations will most likely be made via video or teleconference rather than in person.

Should the panel be unable to reach a decision the appeal will be raised at the next Audit and Quality Committee meeting who meet **quarterly**. In exceptional circumstances Lantra may arrange an extraordinary Audit and Quality Committee meeting which may be virtual via video or teleconference. In this instance, again the appellant will be invited to submit representations.

Legal representatives for any party will not be permitted to attend.

The decision of the Audit and Quality Committee is final. Following the committee meeting the appellant will be notified in writing of the outcome of the committee meeting within **five** working days.



## Complaining to the Regulatory Authorities

Where the appeal is in relation to an Ofqual, Qualifications Wales or Scottish Qualifications Authority Accreditation (SQA Accreditation) recognised qualification, a complaint can be made to the appropriate regulatory authority (Ofqual in England and Northern Ireland, Qualifications Wales in Wales or SQA Accreditation in Scotland). It is recommended that any complaint made to the regulators should only be made when an individual or provider has followed all stages of Lantra's procedures first as this will be the first line of inquiry from the regulator.

For Ofqual approved qualifications (England, Wales and Northern Ireland\*) complaints should be made in writing to Ofqual, Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH or emailed to [complaints@ofqual.gov.uk](mailto:complaints@ofqual.gov.uk).

For Qualifications Wales approved qualifications (Wales only) complaints should be made in writing to Q2 Building, Pencarn Lane, Coedkernew, Newport, NP10 8AR or emailed to [enquiries@qualificationswales.org](mailto:enquiries@qualificationswales.org).

For SQA Accreditation approved qualifications (Scotland) complaints should be made in writing to The Optima Building, 58, Robertson Street, Glasgow G2 8DQ or emailed to [customer@sqa.org.uk](mailto:customer@sqa.org.uk).

Learners in Scotland may also make a complaint to the **Scottish Public Services Ombudsman (SPSO)** in writing to 4 Melville Street, Edinburgh, EH3 7NS. It is recommended that learners make an initial complaint to SQA Accreditation, however, this is not a mandatory requirement.

\*Qualifications taken in the devolved administrations may not be regulated by that nation's regulator. If learners are not sure who to contact, they will be able to obtain this information from their Training Provider or Lantra directly.

## Action after the appeal

In some instances, it is possible that the outcome of an appeal may provide evidence to suggest that other learners, providers or others could have been affected in the same way as the person or organisation making the original appeal. Lantra would take this into account to ensure that, wherever possible, the effects were eliminated.

If the appeal indicates a failure in Lantra's assessment process all reasonable steps will be taken to ensure that:

- Other learners affected are identified
- The failure is corrected where possible
- Effects of the failure are mitigated where possible
- Action is taken to prevent a reoccurrence.

For example, if it is shown that a test paper was incorrectly marked, the work of the examiner(s) involved would be reviewed to ensure that other learners were not affected. If similar errors were discovered, Lantra would ensure re-marks of all relevant test papers and, where necessary, issue fresh results to any learners affected.

## Monitoring

Appeals received are monitored to identify whether any patterns or trends exist. A summary report on appeals is reported to the Lantra Audit and Quality Committee.



# Appeal Form

Please provide as much detail as possible and include any supporting evidence.

Provider Name							
Training/qualification/assessment or event to which the appeal refers							
Date of event to which the appeal refers							
Full name(s) of those to which the appeal refers (please attach list for group appeal)							
Detail nature of appeal:							
Please include as much information as you can about the appeal and attach copies of any relevant correspondence or other materials							
Are you making your appeal as a/an: (please tick as appropriate)							
<b>Learner</b>		<b>Instructor</b>		<b>Assessor</b>		<b>Provider</b>	
Other (please state) .....							
If you are a learner, did you refer your appeal to the Provider first? Please note if you are a learner then you should refer your concerns to your Provider in the first instance.				<b>Yes</b>		<b>No</b>	
Contact details:							
Name: .....							
Email: .....							
Telephone: .....							

Please return this form and any additional supporting information to:  
 Quality and Compliance Manager  
 Lantra House  
 Stoneleigh Park  
 Coventry  
 Warwickshire  
 CV8 2LG

Alternatively email to [Sandie.Absalom@lantra.co.uk](mailto:Sandie.Absalom@lantra.co.uk)