

Appeals Policy

Version 2.0

INTRODUCTION

This policy is provided for the use of apprentices who wish to submit an appeal to SIAS and sets out the timescales and processes to be followed.

SIAS will treat all appeals seriously and respond in an appropriate manner.

WHAT'S COVERED BY THIS POLICY

The Appeals Policy's aim is to ensure that the process of appeal is properly and effectively implemented, and that service users feel confident that their appeal is listened to and acted upon promptly and fairly.

The purpose of this policy is to

enable the apprentice to enquire about, question or appeal an assessment decision

protect the interests of all apprentices and the integrity of the assessments

The SIAS Appeals Policy establishes, maintains and ensures compliance with the appeals process in relation to all EPAs which it makes available, and provides for the appeal of

1. the results of assessments,
2. decisions regarding Reasonable Adjustments and Special Consideration, and
3. decisions relating to any action to be taken against an apprentice following an investigation into malpractice or maladministration
4. decisions relating to the outcome of a complaint.

HOW SIAS USES ITS APPEALS POLICY

SIAS will:

1. Publish its policy for the benefit and access of all SIAS EPA stakeholders
2. Inform apprentices on first meeting about the appeals policy
3. Record and track any lodged appeal
4. Work within published timescales or inform the apprentice if this is not possible
5. Monitor appeals to inform quality improvement

PROCESS FOR RAISING AN APPEAL

Apprentices have 10 working days from the date that they were notified of the decision that they are appealing against in which to lodge an appeal against the decision.

If an employer/provider is appealing on behalf of its apprentice(s), they must ensure that they have obtained written permission from the apprentice(s) concerned and all parties need to be aware that grades/results can go down as well as up as a result of an appeal.

All appeals must be submitted via the SIAS appeals form which is available at the end of this policy. When completing an Appeal Form the appellant needs to ensure all sections are completed and as much detail as possible has been included.

WHAT IF IT'S NOT ACTUALLY AN APPEAL?

Sometimes, an appeal may be raised that is not actually an appeal and could instead be an enquiry, complaint, or allegation of malpractice. If this is the case, SIAS will inform you of this and direct you towards the appropriate policy and course of action.

APPEAL REVIEW 'STAGE 1' (INITIAL REVIEW OF THE APPEAL)

Upon receipt of any appeal SIAS will acknowledge receipt within 3 working days and an appropriate person(s) with the right skills and competence will review the appeal.

SIAS will aim to review and respond to the appeal within 15 working days of acknowledging receipt of the appeal. Please note that in some cases the review processes may take longer, for example, if a visit to an assessment site or interview is required. In such instances, SIAS will contact the appellant to inform them of the likely revised timescale.

Once the appeal review 'stage 1' has been completed, we will write to the appellant detailing SIAS's decision. This will confirm that either we will:

Change our decision, following the review

Stand by our original decision and request that the appellant confirm, within 5 working days, whether they accept this decision or if wish to formally proceed to 'Stage 2' our Independent Review of the appeal.

In each of the above cases, when writing to the appellant we will outline why we have come to the decision.

APPEAL 'STAGE 2' (INDEPENDENT REVIEW OF THE APPEAL)

Following the outcome of the 'Stage 1' appeal review, if the appellant decides to proceed to the independent review of the appeal 'Stage 2' SIAS will arrange for an independent review to be carried out by an Independent Reviewer meeting the following criteria:

1. They must not be an employee, assessor, contractor of SIAS or be in anyway otherwise connected to SIAS and have no personal interest in the decision being appealed
2. They must have the appropriate competence to make the appeal decision

To progress an appeal to stage 2, the appellant will be charged £250 which is payable prior to the stage 2 commencing. If the appeal is upheld, the fee will be refunded. The stage 2 appeal cannot progress until the fee has been paid in full.

The Independent Reviewer will review all the evidence which took place during the previous stage and review whether SIAS have applied the procedures fairly, appropriately and consistently in line with the policy.

The Independent Reviewer's decision is final in relation to how SIAS will consider such appeals and we will let you know the outcome of the review within 20 working days of receipt of the fee for the 'Stage 2' appeal. If the apprentice is still unhappy with the outcome at this stage, they are entitled to raise the matter with the relevant qualification regulator or external quality assurance body.

Please note that in some cases the 'Stage 2' appeal processes may take longer. In such instances, SIAS will contact the appellant to inform them of the likely revised timescale.

SUCCESSFUL APPEALS AND/OR ISSUES BOUGHT TO OUR ATTENTION BY A REGULATOR

If any part of an appeal is upheld, as part of our review process, we will give due regard to the outcome and ascertain how best we can improve our service and/or processes. In particular, we will review our procedures to assess the impact on our product development, delivery or awarding arrangements and assessment process as appropriate.

In situations where the outcome of an appeal or a notification from the regulators indicates a failure in our processes, we will give due consideration to the outcome and we will take all reasonable steps to:

1. Identify any other apprentice may have been affected by that failure
2. Correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure
3. Ensure that the failure does not recur in the future.

This document is Copyright © SIAS 2022. All Rights Reserved.

The copyright in this document, which contains information of a proprietary nature, is vested in SIAS. The contents of this document may not be used for any purposes other than those for which it has been supplied and may not be reproduced, either wholly or in part, nor may it be used by, or its contents divulged to, any other person without the prior written permission of SIAS.