

Appendix A

ATHE Enquiry and Appeal Policy

6. Submitting Requests for Enquiries or Appeals

When submitting a request for an Enquiry or Appeal, centres and individual learners must use a relevant form. The form must be completed in full and centres and learners should provide as much information as possible to facilitate the Enquiry or Appeals process.

Where a centre is making an appeal on behalf of its learners, the learners' permission must be obtained in the first instance.

[Download Form for Enquiries about results](#)

[Download Form for Appeals](#)

7. Enquiries or Appeals for ATHE Qualifications

There are two stages to the process

1. Enquiries regarding External Verifier Decisions

Where an external verifier notifies the centre that any or all of its assessment or assessment decisions have not met the unit standard, the centre may, if contesting the decision, request a review of the decision. This is termed an enquiry. All requests must be made within 30 working days of the receipt of the external verifier visit report. In exceptional circumstances stated in Section 1 a learner may request an enquiry directly to ATHE.

ATHE will arrange for a member of its staff, or an appropriate external verifier, who has not been involved in the original decision, to review these decisions and will let the centre know the outcome of the review. In the case of an independent learner who faces the situation(s) stated in Section 1 and raises an enquiry, the learner work will be verified by an EV from ATHE. The learner will be informed of the outcomes of the verification. In all cases, ATHE will ensure there is a clear explanation of reasons for the decision. Either party may request a meeting if it is appropriate to do so. ATHE will respond within 30 days of receiving the enquiry. If the centre or the learner is dissatisfied with the outcome of the enquiry they may appeal against ATHE's decision.

Please see fees section for charges for enquiries including a centre visit or review of learner work.

2. Appeals

For appeals made against an ATHE decision to an enquiry, the appeals procedure will focus on whether ATHE:

- used procedures that were consistent with the requirements of the regulators
- followed the processes set out in this policy
- applied the procedures properly and fairly in arriving at judgements

In respect of assessment outcomes the appeals process investigates procedures and is not concerned with making judgements about the learner's work. Appeals do not inevitably involve the reassessment or remarking of the learner's work, but a review of the learner's work may be ordered if the outcome of the appeal authorises such a decision.

An appeal from an individual learner must first go through the internal appeals procedures of the learner's centre before the appeal is submitted to ATHE. The learner's Head of Centre is required to submit the appeal on behalf of the learner to ATHE. When reviewing an appeal

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from an individual learner, ATHE will consider whether the procedures followed by the centre were consistent with the centre's appeals policy. In exceptional circumstances such as the centre where the learner studied no longer being in operation or the internal processes being exhausted a learner may appeal directly to ATHE.

There are two stages in the appeals process:

- Stage 1: Internal ATHE Appeals Panel
- Stage 2: Independent ATHE Appeals Panel

For any appeal case that goes beyond stage 1, the Independent Appeals Panel will conduct this final stage of the appeals process. The outcome of the Independent Appeals Panel is final; there is no further right of appeal beyond this stage.

When the outcome of an enquiry or appeal questions the validity of other results, ATHE will take appropriate action to protect the interests of other learners and the integrity of the qualification.

8. Conditions of Appeals

ATHE will only consider an appeal if the following conditions have been met:

- the appeal is submitted to ATHE in writing by the Head of Centre and includes the grounds for the appeal and any supporting documentation
- an appeal is submitted once the centre's own internal procedures have been exhausted
- the individual learner remains dissatisfied with the outcome of the centre's internal appeals procedure and wants to pursue the appeal further with ATHE. In such a case the appeal must be submitted to ATHE in writing by the Head of Centre and include the grounds for appeal and any supporting documentation
- the appeal is submitted to ATHE within 14 calendar days of the receipt by the appellant of the ATHE or centre decision under question
- a centre notifies ATHE within 14 calendar days (of the receipt, by the appellant, of the ATHE or centre decision under question) that an appellant has lodged an appeal with the centre's internal appeals process

During an appeal the centre must retain all evidence relating to the appeal case. If the appeal involves the work of a learner or group of learners the centre must retain the work of the complete cohort. ATHE will retain all documentation regarding an appeal for a minimum of 18 months. Centres must also keep documentation relating to a centre appeal or an appeal to ATHE for a minimum of 18 months.

8. Details of the Appeals Process

Stage 1 (ATHE Internal Appeal)

This stage of the procedure involves a review of the appeal by the Internal Appeals Panel. This panel is made up of senior ATHE staff and a senior associate with experience in the qualification concerned. The Internal Appeals Panel will gather and review information based on the nature of the appeal and on this evidence decide if any further work relating to the appeal should be authorised. For the majority of cases the appeal can be resolved at this stage. The review process may involve:

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- a discussion with the centre or the learner and ATHE personnel
- a request for further information from the centre, the learner or ATHE personnel
- a centre visit by authorised ATHE personnel

ATHE will communicate the outcome of this appeal to the Head of Centre within 10 working days of the meeting of the Appeals Panel. A report of the review will be sent to the Head of Centre within 28 days of the appeal hearing.

Stage 2 (Independent Appeals Panel)

If the centres or their learners are dissatisfied with the outcome of Stage 1, they may apply to the ATHE Independent Appeals Panel.

In this stage members of the Panel will be drawn from the Governing Body and from other independent assessment experts. The chair of the Panel will consider the appeal provided that:

- the appeal is submitted in writing by the Head of Centre
- the appeal is submitted in writing by the learner as the centre is no longer in operation
- the appeal is submitted within the time limit of within 21 calendar days of receipt of the outcome of stage 1
- ATHE's stage 1 appeals process has been exhausted

The chair of the Independent Appeals Panel will decide if there is an appeal case to be heard. The appellant will be notified within 14 days if the case has been accepted or not. If it has been accepted the Independent Appeals Panel will be arranged and the case will be heard.

The Independent Appeals Panel will review all the evidence presented at Stage 1. They will review whether ATHE has applied its procedures fairly, appropriately and consistently in line with policy.

The independent review process may involve:

- a discussion with the centre or the learner and ATHE personnel
- a request for further information from the centre, the learner or ATHE personnel
- a centre visit by authorised ATHE personnel

This stage is the final step in the appeals process and a final decision will be made regarding the outcome of the initial appeal. The Independent Appeals Panel will communicate the outcome of the hearing to both parties within 7 calendar days of the hearing. A report of the hearing will be sent to both parties within 28 calendar days of the hearing.

9. Extended Review

In cases where the outcome of an appeal or enquiry against an assessment decision affects the accuracy of results for other learners in the same cohort, the personnel involved in the review of the appeal or enquiry about a result will decide whether or not the outcome warrants reassessment of all assessments affected.

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10. Fees

ATHE will charge a fee to cover the administrative and personnel costs of any enquiry or appeal and additional fees if they need to carry out a centre visit. However, if ATHE upholds an appeal or enquiry the fee will be returned.

The fees are contained in ATHE's current *Fees Structure* which is available on request from the Centre Support team on 01603 760 030 or by emailing info@athe.co.uk.

11. Records

Following an enquiry or appeal, ATHE will amend centre and/or learner records where appropriate.